GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:3886
ANSWERED ON:22.12.2015
Pending Projects
Kulaste Shri Faggan Singh

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether there are problems in completing several big development projects within the prescribed time limit for want of forest and environmental clearance in various parts of the country;
(b) if so, the details thereof, State-wise;
(c) whether any kind of permission for mining lease has to be taken for completing the said projects; and
(d) if so, the details of committee which gives permission in this regard along with the process of constituting the said committee?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI PRAKASH JAVADEKAR)

(a) to (c)
Section-2 of the Forest (Conservation) Act, 1980 inter-alia provides that notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing that any forest land or any portion thereof may be used for any non-forest purpose. Therefore, use of forest land for various development projects, including mining, requires prior approval of the Central Government under the Forest (Conservation) Act, 1980.Grant of approval by the Central Government under the Forest (Conservation) Act, 1980 is a continuing process. Quite often, proposals or compliance of Stage-I approvals, received from the State/UT Government are not complete in all respects and hence the Central Government has to seek further details/ documents from the concerned State/UT Governments. Moreover, the proposals involving forest area of more than 100 ha are also required to be inspected by the concerned Regional Office of the Ministry. These are the main reasons for increase in time taken in granting approval under the Forest (Conservation) Act, 1980. The Ministry takes prompt decision, when proposals complete in all respects, are submitted by the State/UT Governments.
(d) All proposals seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980, Wildlife (Protection) Act, 1972 and Environment (Protection) Act, 1986 are examined by the statutory Committees which are constituted under the relevant sections of the respective Acts as given under:
i. Proposal involving use of forest land involving are more than 40 are examined by the Forest Advisory Committee constituted under Section − 3 of the Forest (Conservation) Act, 1980 while proposal involving area below 40 ha and all linear projects, irrespective of the area involved are examined by the Regional Empowered Committee constituted under the relevant provision of the Forest (Conservation) Second Amendment Rules, 2014.
ii. Proposals involving use of forest land inside the Protected Areas, as recognized under the provisions of the Wildlife (Protection) Act, 1972 are examined by the Standing Committee of National Board for Wildlife and State Board of Wildlife which are constituted under the relevant provisions of the Wildlife (Protection) Act, 1972.
iii. Similarly, proposal seeking prior approval of the Central Government for environment clearance are examined by the Expert Appraisal Committee and State level Expert Appraisal Committee which are constituted under the relevant provisions of the Environment (Protection) Act, 1986 and Environment Impact Assessment Notification, 2006.
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